

REMARKS

Reconsideration of this application is respectfully requested.

The Abstract, which was provided on the title page of the PCT International application WO 2004/020045 A1, is now provided on a separate sheet as required by the examiner.

Claim 6, which was objected to by the examiner has been amended to omit the reference number 13"" which, as the examiner stated, does not appear in the disclosure.

It is also noted that Fig. 2 of the drawings has an incorrect reference number 13". Applicant has thus amended Fig. 2 on the attached replacement sheet to change the reference number 13" to 13"" at the opening in the right side of the suspension bracket 13. This amendment has support in the specification at page 3, lines 16-19. Entry of applicant's amendment of Fig. 2 is thus respectfully requested.

Claim 4 was amended to omit the reference number 8 and thereby overcome the examiner's rejection of claim 4 under 35 USC § 112. The specification has been amended at page 3, at the first partial paragraph to conform the specification with claim 4. It should be noted that in claim 4 as originally filed the guide portion 7 was defined to be "*elastically yielding*". The specification as amended thus conforms with the requirements of claim 4 in the application as filed.

Applicant has also amended claims 1, 2, 6 and 8 in response to the examiner's rejection under 35 USC § 112. It is respectfully submitted that such amendments render the claims in conformity with the requirements of 35 USC § 112.

Prior to discussing the examiner's rejection of claims based on prior art it may be helpful to briefly review some of the novel aspects of the invention.

Applicant shows a training apparatus having two limbs of rope depending from opposite sides of a direction reversal means that is suspended from a fixed support. Both limbs of the rope pass through a locking device. One of the rope limbs is attached to the locking device and has a handle loop. The locking device is relatively movable with respect to the other rope limb.

Thus, the height of the handle loop relative to the ground can be adjusted by relative movement between the locking device and the other rope limb that passes through a cleatlock portion of the locking device.

Under this arrangement, any downward force or weight on the handle loop is supported by both rope limbs. Thus, if a 200 pound person suspends himself from the handle loop 3, each rope limb between the locking device 4 and the direction reversal means is subjected to 100 pounds of tension.

Applicant's claim 1 as amended requires

"...direction reversal means...having two sides, a rope...to hang down from one side of the direction reversal means and having a lower...handle loop...a second part...of the rope...to hang down from the other side of the direction reversal means...a locking device...attached to the first part...of the rope, ...cooperable with the second part...of the rope to provide releasable engagement between the locking device...and the second part...of the rope".

Applicant's claim 1 thus defines a training apparatus wherein a locking device is suspended from two limbs of a rope that pass around a direction reversal means. The locking device is attached to one of the rope limbs which has a handle loop and the other rope limb is releasably engaged with the locking device. The training device handle loop is thus adjustable to selected fixed positions relative to the ground.

U.S. Patent 4,580,658 to Brda shows a device for lowering a person on a single limb of rope 16. Brda does not show direction reversal means for the rope 16. Thus the full weight of a person or load is borne by the single limb of the rope 16. Brda also shows a control housing 1, through which the rope passes on an S-shaped path. The control housing 1 includes a manually operable control lever 19 (Fig. 1) for imposing an adjustable frictional grip on the rope 16 to control the descent of an individual on a harness 17 attached to the housing 1.

Brda is not an exercise or training device and does not show or suggest the direction reversal means requirement of applicant's claim 1. Because of the structural and functional distinctions between applicant's claim 1 and Brda it is submitted that claim 1 is allowable over Brda.

U.S. Patent 6,705,974 to Tardiff shows an athletic stretching device 10 with a hollow U-shaped support sling 50. The support sling 50 is formed from PVC pipe (col. 3, line 65) and supports a person's leg, as shown in Figs. 4-11 and 14-18. The support sling 50 is freely movable around a pulley, up or down, without restraint. Tardiff does not show or suggest a locking device, as required in applicant's claim 1. Any locking device in Tardiff would be antagonistic to the freely movable up and down motion required of the support sling 50 for manually controlled elevation of the user's foot into a selected stretch position.

Since Tardiff shows a freely movable support sling for stretching a leg muscle, and Brda shows a friction controlled descending device for lowering a person in a harness from a fixed elevation, it is submitted that there is no logical connection between these two patents that would warrant any combination of their teachings by persons skilled in the art. It is also submitted that Brda and Tardiff, whether considered individually or in combination, do not show or suggest the structure claimed by applicant in claim 1. In addition it is submitted that Brda and Tardiff,

whether considered individually or in combination with any of the other references cited by the examiner, do not show or suggest the structure claimed by applicant in claim 1. Accordingly it is submitted that claim 1 is allowable over Brda and Tardiff and allowance thereof is respectfully requested.

Claims 2-7, which directly or indirectly depend on claim 1, are likewise submitted as allowable over Brda and Tardiff for the reasons supporting allowance of claim 1, as well as the distinctions defined therein.

For example, claim 2 requires that one portion of the rope is attached to the locking device and that a second part of the rope cooperates with a locking part of the locking device.

Claim 3 requires that a guide in the locking device limit movement of the second part of the rope out of the locking part upon manipulation of the rope.

Claim 4 requires that the guide be an elastically yielding belt.

Claim 5 requires that the upper end of the cleatlock have a rope insertion groove for sideways insertion of the second part of the rope and that the guide include means for limiting sideways movement of the second part of the rope relative to the cleatlock after the second part of the rope has been inserted into the locking device.

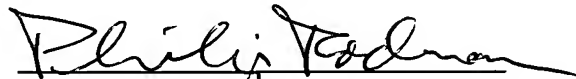
Claim 6 requires that the direction reversal mean is a suspension bracket in the form of a U-shaped structure, and that the distance between the arms of the U-shaped bracket be adjustable for suspension from an upper doorframe, and further that the arms have a perforated portion for the rope to form the direction reversal means.

Claim 7 requires that the guide is a flap pivotal against spring force relative to the locking device.

It is thus submitted that claims 2-7 are allowable and allowance thereof is respectfully requested.

In view of the foregoing remarks and amendments it is submitted that this application is in condition for allowance and allowance thereof is respectfully requested.

Respectfully submitted,


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